

NEWS RELEASE



***OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California***

***United States Attorney
Carol C. Lam***

For Further Information, Contact: Assistant U.S. Attorney John D. Kirby (619)557-6294

For Immediate Release

NEWS RELEASE SUMMARY – February 3, 2005

United States Attorney Carol C. Lam announced today that a federal grand jury sitting in San Diego handed up a one-count indictment charging United States Border Patrol Agent Luis Higareda with possession of, and with intent to distribute, approximately 749.7 pounds of marijuana. According to court documents, Higareda was stopped by federal authorities on January 4, 2005, at approximately 10:30 p.m., while driving, a marked United States Border Patrol unit, southbound on Snider Road south of Highway I-15 near Holtville, California. The vehicle he was driving was found to contain approximately 749.7 pounds of marijuana, with an estimated street value of \$600,000. Marcelino Verdugo, a passenger in the vehicle Higareda was driving, was also arrested and charged. Both Higareda and Verdugo were taken into federal custody. Higareda, a resident of Holtville, has been an agent with the U.S. Border Patrol for approximately five years. Higareda is assigned to the Calexico Border Patrol Station in the El Centro Sector.

The defendants appeared today before the Honorable Louisa S. Porter, United States Magistrate Judge, at the United States Courthouse in San Diego. They were arraigned on the indictment and detained without bail pending trial. The defendants are scheduled to appear next on March 14, 2005 at 2:00 p.m., before the

Honorable Larry A. Burns, United States District Court Judge, for a motion hearing.

United States Attorney Lam stated, "Nothing is more important to the security of the people of this community than the detection and prosecution of corrupt law enforcement agents. I commend the investigative work by the Department of Homeland Security and the FBI which led to this indictment."

DEFENDANTS

Criminal Case Number: 05CR0159-LAB

Luis Higareda
Holtville, California

Marcelino Verdugo
Mexico

SUMMARY OF CHARGES

Title 21, United States Code, Section 841(a)(1) – Possession of Marijuana with Intent to Distribute.
Maximum penalty per count: mandatory minimum term of 5 to 40 years in custody;
fine of \$2,000,000; four years of supervised release.

AGENCIES

Department of Homeland Security (Office of Inspector General)
Federal Bureau of Investigation
U.S. Border Patrol

An indictment itself is not evidence that the defendants committed the crimes charged. The defendants are presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.